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PATENT  
ATTORNEY DOCKET: 46884-5453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Xin GAO et al. ) Confirmation No.: 1674  
Application No.: 10/566,265 ) Group Art Unit: 2878  
Filed: January 30, 2006 ) Examiner: Minsun Oh Harvey  
For: SEMICONDUCTOR LASER DIODE )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Accordingly, Applicants do not believe that a fee is due for filing this paper.

Japanese Office Actions dated May 15, 2007 and May 22, 2007 that issued in related Japanese patent applications and having documents cited therein are attached for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of the cited documents are also attached hereto.

While the Japanese Office Action dated May 15, 2007 additionally cites to JP 7-98402 and JP 2002-239773, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Information Disclosure Statement in this application on January 30, 2006.

The relevance of the attached foreign language documents can be understood from the attached English-language abstracts, and/or from the citation of these documents in the attached Japanese Office Actions dated May 15, 2007 and May 22, 2007. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

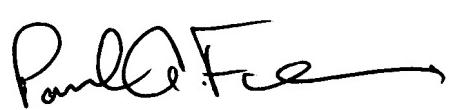
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENIONS OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

By:



Paul A. Fournier  
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Dated: June 20, 2007

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## **INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

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PTO Form 1449

Attorney Docket No  
46884-5453

Application No.:  
10/566,265

Applicant(s):  
Xin GAO et al

Filing Date:  
January 30, 2009

Group Art Unit  
2878

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>
							YES NO
		9-54347	February 25, 1997	Japan			Abstract
		7-30203	January 31, 1995	Japan			Abstract
		2004/100331	November 18, 2004	PCT			Abstract

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Examiner	Date Considered	
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		